

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

January 3, 1957
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works.

Invocation was delivered by DR. JOHN B. DAVIDSON, Assistant Pastor, First Baptist Church.

Councilman White moved that the Minutes of December 26, 1956 be approved. The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

A group of businessmen from the 12th and Lamar area and 12th and West Lynn area appeared before the Council regarding the obtaining of a left-turn signal at 12th and Lamar for traffic going north on Lamar. The group felt that their businesses had been affected adversely and expressed opposition also to the buttons placed in Lamar Boulevard. The Traffic Engineer gave a report on the traffic counts and studies on Lamar and explained the intricate timing of the signals. The Council deferred action on the requests until the following week for study of the request and review of the Traffic Engineer's report. Several in the group made a complaint regarding the Police Department's giving tickets to those crossing Lamar, with particular reference to those crossing in to the Conoco Station; in that on several occasions, when people did cross Lamar into the Station, a policeman followed them in and took their license number and promised a ticket if caught again.

The City Manager stated that Dr. Primer had suggested a time for open house and dedication ceremonies of the Health Center on February 3rd. The Council was agreeable to this date at 3:30 P.M.

The Mayor gave a report on a meeting of the Retirement Board at which the Actuary made his report, and on the possibility of increasing the payments and still keeping the system in balance. The Pension Board passed this subject to the Council's making amendments to the Ordinance.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED: "AN ORDINANCE ESTABLISHING A RETIREMENT AND PENSIONING SYSTEM FOR CERTAIN EMPLOYEES OF THE CITY OF AUSTIN, PURSUANT TO AUTHORITY GRANTED THE CITY COUNCIL UNDER SECTION 52, OF ARTICLE XIV, OF THE CHARTER OF THE CITY OF AUSTIN; CREATING A RETIREMENT BOARD TO ADMINISTER AND OPERATE THE RETIREMENT AND PENSIONING SYSTEM AND DEFINING ITS POWERS, DUTIES AND FUNCTION; PROVIDING A METHOD OF FINANCING THE SYSTEM; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY AND SAVING CLAUSE AND DECLARING AN EMERGENCY", PASSED BY THE CITY COUNCIL ON OCTOBER 10, 1940, BY AMENDING SECTION 1 OF ARTICLE I, PERTAINING TO DEFINITIONS OF CERTAIN TERMS USED IN SAID ORDINANCE; SECTION 1 OF ARTICLE VI, PERTAINING TO CURRENT SERVICE ANNUITIES, PRIOR SERVICE PENSIONS AND PRIOR SERVICE PENSION SUPPLEMENTS; AND SECTION 1 OF ARTICLE VIII, PERTAINING TO METHOD OF FINANCING; REPEALING ALL LAWS OR PARTS OF LAWS IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY AND SAVING CLAUSE AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller brought up the following ordinance for its third reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 0.82 OF ONE ACRE OF LAND, SAME BEING OUT OF AND A PART OF THE J. C. TANNEHILL LEAGUE IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller brought up the following ordinance for its second reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 8.41 ACRES OF LAND, SAME BEING A PORTION OF THE PAUL PFEIFER ADDITION, A SUBDIVISION OF A PORTION OF THE SANTIAGO DEL VALLE GRANT IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the second time and Councilman Long moved that the ordinance be passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Mayor Miller introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF PORTIONS OF SUNDRY STREETS IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RELATING THERETO; DETERMINING AND FIXING THE PORTION OF SAID COSTS AND THE RATE THEREOF PROPOSED TO BE ASSESSED AGAINST AND PAID BY THE ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF; DETERMINING THE NECESSITY OF LEVYING

AN ASSESSMENT AGAINST SAID ABUTTING PROPERTY, AND THE REAL AND TRUE OWNERS THEREOF FOR THE PORTION OF SAID COSTS APPORTIONED TO THEM; ORDERING AND SETTING A HEARING AT 10:30 O'CLOCK A. M. ON THE 17TH DAY OF JANUARY, 1957, IN THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN, TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY AND ALL OTHERS INTERESTED IN SAID ABUTTING PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID HEARING AS REQUIRED BY THE LAWS OF THE STATE OF TEXAS AND THE CHARTER OF THE CITY OF AUSTIN; DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL TAKE EFFECT IMMEDIATELY UPON ITS PASSAGE.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

MR. CARL HARDIN announced the official opening of the MARCH OF DIMES at 7th and Congress at 9:15 A.M. Friday, January 4, 1957, and invited the Council to be present.

The Mayor announced that the following zoning application, previously set for hearing this date, had been reset for public hearing for January 24th:

RAYMOND C. LITTLEFIELD, 801-05 Manor Road
et al 2103-09 Oldham
2102-04 Swisher

From "BB" Residence
To "C" Commercial

Pursuant to published notice thereof the following zoning applications were publicly heard:

H. B. CLAGETT	1319-1337 W. Mary Street	From "A" Residence 1st Height & Area To "C" Commercial 2nd Height & Area RECOMMENDED by the Planning Commission
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Rev. R. M. Hocker withdrew any opposition he had, after inquiring about the application. The Mayor asked those in favor of granting the change to "C" Commercial District and 2nd Height and Area to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "C" Commercial District and 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

RAYMOND RAMSEY, JR.	5427-5435 (5507)	From "C" Commercial
By Trueman O'Quinn	Cameron Road	To "C-1" Commercial
		RECOMMENDED by the Planning Commission

No opposition appeared. The Mayor asked those in favor of granting the change to "C-1" Commercial District to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "C-1" Commercial District and the City Attorney was instructed to draw the necessary ordinance to cover.

Mrs. V. G. OKIE	4517-23 Airport Blvd.	From "C" Commercial
By Trueman O'Quinn		To "C-1" Commercial
		RECOMMENDED by the Planning Commission

No opposition appeared. The Mayor asked those in favor of granting the change to "C-1" Commercial District to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "C-1" Commercial District and the City Attorney was instructed to draw the necessary ordinance to cover.

H. L. ROBERTSON & MRS. 7800-7804 North Lamar
LUCILLE ROBERTSON 800-10 Stobaugh
DOROTHY L. MORISH,
Lessee

From "C" Commercial
To "C-1" Commercial
NOT Recommended by the
Planning Commission

No opposition appeared. The Mayor asked those in favor of granting the change to "C-1" Commercial District to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "C-1" Commercial District and the City Attorney was instructed to draw the necessary ordinance to cover.

IRA WHITE
By Robt. Sneed

3407-11 East 7th Street

From "D" Industrial
5th Height & Area
To "C-2" Commercial
5th Height & Area
NOT Recommended by the
Planning Commission

No opposition appeared. The Mayor asked those in favor of granting the change to "C-2" Commercial District to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller
Noes: Councilman Long

The Mayor announced that the change had been granted to "C-2" Commercial District and the City Attorney was instructed to draw the necessary ordinance to cover.

THOMAS C. WOMMACK & 5209-5307 Cameron
B. F. McCOY

From "A" Residence
To "GR" General Retail
RECOMMENDED by the
Planning Commission

The Mayor asked those in favor of granting the change to "GR" General Retail District to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail District and the City Attorney was instructed to draw the necessary ordinance to cover.

FRANK E. WATTERSON &
KAYTE D. WATTERSON

2612-2614 South 1st St.
600 Cumberland Road

From "A" Residence
To "LR" Local Retail
NOT Recommended by the
Planning Commission

Petition in opposition filed by MR. CUTLER. The Council postponed the hearing as the applicant could not be present and had requested that the hearing be postponed until next week.

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JOHN J. JOHNSON
ELLA & JOSEPHINE
JOHNSON

1610-1623 East 7th
Street

From "A" Residence
To "C" Commercial
RECOMMENDED by the
Planning Commission

Mr. John Johnson and Miss Ella Johnson represented themselves. Opposition expressed by MRS. F. R. RICE, 1609 E. 7th; E. M. CORLEY; R. B. SMITH; and ROYAL EDWARDS. Petition in protest also filed. Deferred action until next Thursday.

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NELSON PUETT

4308-10 Bellvue Avenue

From "A" Residence
1st Height & Area
To "B" Residence
2nd Height & Area
NOT Recommended by the
Planning Commission

Mr. Puett represented himself. Opposition expressed by MR. A. B. TIPPS and MR. TEINERT. Petition in protest filed by Mr. Tipps. Deferred action until next Thursday.

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EDWIN LONDON
By W. H. Smartt

3108-3122 Lamar Blvd.
1001-07 West 32nd Street

From "A" Residence
1st & 5th Height & Area
& "C" Commercial
5th Height & Area
To "C" Commercial
5th Height & Area
RECOMMENDED by the
Planning Commission

Mr. Smartt and Mr. Hillen represented the applicant. Opposition expressed by MR. O. ASHLEY, MR. RONNIE DUGGER, MRS. EMMONS and another lady. MR. CLAYTON favored the change. Deferred action until next Thursday.

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T. E. FISHER
By Trueman O'Quinn

2401-05 Winsted Lane
2700-02 Windsor Road

From "A" Residence
To "LR" Local Retail
NOT Recommended by the
Planning Commission

MRS. HARWOOD, representing Mrs. Cartledge, withdrew opposition as the plans displayed the locations of the buildings. MAYOR MILLER requested that a

check in right-of-way needs be made in connection with any over or under pass that may be constructed there. Opposition to the change was made by MRS. WILLIAM GREGORY, 2407 Winsted Lane; and written objection received from MR. BEN F. LOONEY, JR. Hearing continued over until January 17th.

MR. A. H. McQUOWN submitted a petition and spoke for traffic controls at 51st Street and Interregional Highway--suggesting four-way stop signs, and a notice some 400' on the highway that the stop signs are there; or install lights. The City Manager stated this was under study now, and that the State Highway Department is also working on the problem with the Traffic Engineer.

The Council referred the request of DAVID PEARSON, 3403 Lafayette for a building permit to the City Manager to give him an answer on his problem.

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the use of the City of Austin's Northwest Park by the public will be greatly facilitated by the creation of an additional entrance to such park from Pegasus Avenue and,

WHEREAS, in order to create such entrance to such park it is necessary to dedicate a small portion of such park for street and drainageway purposes; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the following described tract of land owned by the City of Austin, a municipal corporation situated in Travis County, Texas, be and the same is hereby set aside and dedicated for use by the public for street and drainageway purposes in the City of Austin, said tract being more particularly described as follows:

4986 square feet of land, same being out of and a part of that certain tract of land, a portion of the George W. Spear Survey and a portion of the George W. Davis Survey in the City of Austin, Travis County, Texas which was conveyed to the City of Austin by Warranty Deed dated September 3, 1955 of record in Volume 1612 at Page 79 of the Deed Records of Travis County, Texas; said 4986 square feet of land being more particularly described by metes and bounds as follows:

BEGINNING at the most easterly southeast corner of the said City of Austin tract of land same being the northeast corner of Lot 26, Block 6 of Green Acres, a subdivision of record in Book 4 at page 333 of the Plat Records of Travis County, Texas, same being the southeast corner of this tract;

THENCE, N. 49° 13' W. 61.08 feet to a point;

THENCE, N. 42° 53' W. 55.00 feet to a point, said point being the southwest corner of this tract;

THENCE, N. $29^{\circ} 44'$ E. 44.94 feet to the northwest corner of the herein described tract of land;

THENCE, S. $42^{\circ} 53'$ E. 66.05 feet to a point;

THENCE, S. $49^{\circ} 13'$ E. 50.33 feet to a point in the most easterly line of the said City of Austin tract of land same being the northeast corner of the herein described tract;

THENCE with the most easterly line of the said City of Austin tract S. $29^{\circ} 44'$ W. 43.70 feet to the point of beginning.

The motion, seconded by Councilman Long carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

There being no further business, the Council adjourned at 2:00 P.M., subject to the call of the Mayor.

APPROVED

Tom Miller
Mayor

ATTEST:

Elain Hooley
City Clerk